



Interpreter Commission Meeting
Friday, September 29, 2017
AOC SeaTac Office Building
18000 International Blvd, Seattle, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Judge Laura Bradley
Francis Adewale
Maria Luisa Gracia Camon
Thea Jennings
Katrin Johnson
Linda Noble
Fona Sugg
Alma Zuniga

AOC Staff:

Cynthia Delostrinos
Robert Lichtenberg
James Wells

Members By Phone:

Judge Teresa Doyle
Lynne Lumsden

Members Absent:

Eileen Farley
LaTricia Kinlow
Dirk Marler

Guests:

Elisa Young
Mary Toews

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González at 8:45am.

APPROVAL OF MAY 12, 2017 MEETING MINUTES

Minutes were approved with modification.

CHAIR'S REPORT

Reappointment

- Judge Doyle and Judge Beall were reappointed for a second term.

Open Member Vacancy: Community Member Representative

- Ms. Young and Ms. Toews introduced themselves and described their backgrounds.

- Ms. Young discussed some of her past personal experience and her work in the language access field at a government agency.
- Ms. Toews went over her interpreting background, her interpreting agency, and her work at a non-profit. Both candidates discussed their experience reaching out to communities.
- The Commission discussed the two candidates and their qualifications.
- Ms. Young was nominated to the open Commission seat and the motion was unanimously approved by the present members of the Commission.

MOTION: Ms. Young is appointed to the Community Member Representative seat.

BJA Court Interpreting Task Force Overview and Timeline

- The Commission discussed the recently formed Board for Judicial Administration (BJA) Court Interpreting Task Force, its purpose to address the lack of funding for court interpreters and membership.
- The Task Force will explore strategies to obtain additional funding from the legislature.
- The AOC recruited a new staff person, Jeanne Englert, and discussed her role in supporting the Taskforce. She will be working on collecting data to support the legislative funding requests for interpreter services. A survey will be sent out to the state courts in November with questions about interpreter usage and other language access issues.
- Mr. Adewale stressed the importance of having the community who needs interpreters involved perhaps by including members from a non-profit.
- Ms. Johnson has been nominated to be on the Task Force representing the Office of Public Defense.

ANNUAL REPORT

The Commission reviewed the 2016 Annual Report suggested edits or additions include:

- The title of the annual reports should have the year that the report is published and not the year the information is about. This will make the report appear more relevant.
- Annual reports should showcase who is impacted by interpreters. It could include one or two short stories from people to illustrate the need and reason for interpreters and how they affect the community.
- The Education Committee could provide feedback on drafts of annual reports.
- A list of resources can be added.
- The purpose and audience of the report, such as legislators, should be considered so the content is more impactful.

COMMITTEE REPORTS

Issues Committee

Revisions to GR 11.2

- The Commission reviewed the latest draft of the revised General Rule (GR) 11.2, the Code of Conduct of interpreters. The Issues Committee had been reviewing drafts written by a group of interpreters that are part of Northwest Translators and Interpreters Society (NOTIS).
- The group reviewed a number of codes of conduct from other states and professional organizations. They also added a commentary to the code to provide additional context for interpreters.
- The original title of the code focuses on interpreting in the court room whereas the code actually has a wider scope and includes legal interpreting in other settings.
- The title of the updated code was changed to indicate that the code applied to the person and not the place.
- The Commission discussed the settings where the code would apply and the scope of the Commission's authority. The code is often used during discipline proceedings.
- Some Commission members felt that that the code would apply anytime when the interpreting event related to court proceedings or involved evidence that could be used in court, such as depositions and probation interviews.
- An American Sign Language (ASL) interpreter was part of the NOTIS revision group but the Commission felt the code would benefit from more input from the ASL interpreting community.
- The deadline for submitting the updated code to the Supreme Court Rules Committee for 2017 is **October 15**.
- The Commission decided to wait until 2018 to submit the code to allow more time to finalize the code and get input from the interpreting community. A final draft should be presented at the **May 2018** Commission meeting.

ACTION:

- The issues surrounding the title would be flagged for the Supreme Court Rules Committee when the code was submitted to them.
- Mr. Lichtenberg would do some consultation at an upcoming Washington State Registry for the Deaf (WSRID) conference.

Interpreter Compensation Survey

- The Commission discussed how to distribute the Interpreter Compensation Survey. The survey will be sent out with the annual report to Judges and Court Administrators electronically and by physical mail.

CEU approvals

- The Commission discussed the policy about interpreters receiving Continuing Education Credits for doing Commission related work.
- Several interpreters had recently worked on the updates to the GR 11.2 and a presentation at the Fall Judicial Conference.
- The current policy addressed some of the kinds of work that had to been done for the Commission in the past, such as teaching and translating. However, this recent work fell outside this scope.
- The Commission voted and unanimously approved the CEUs for the interpreters working on GR 11.2 revisions and who helped with the Judicial Fall Conference.

MOTION: Continuing Education credits are approved for the interpreters helping with the revision to GR11.2 and who participated in the Fall Judicial conference session. AOC staff is given the authority to decide on the appropriate number of credits based on the individual's participation.

ACTION: The Issue Committee was tasked with reviewing and updating the CEU policy to include granting credit for additional kinds of work for the Commission.

Education Committee

- **Court Interpreter Coordinator Workshop**
 - This was the first workshop bringing together court staff involved with scheduling interpreters from across the state. It took place in June in SeaTac and Yakima.
- **Fall Judicial Conference**
 - This interpreter session was a plenary session on the first day of the conference. It included two skits illustrating the kinds of frustrations that Limited English Proficient (LEP) and Deaf and Hard of Hearing (DHH) individuals face in the court house. A number of people were involved in planning and presenting the skits, including interpreters, Commission members, attendees at the Deaf School in Vancouver, and judicial officers. This session also included an informational presentation by Justice González, Judge Doyle, Judge Beall, and Mr. Lichtenberg.
 - The reviews for the session were very high with no negative reviews. The Bench Card and Mr. Lichtenberg's presentation about the deaf community and language acquisition were highly rated.
- **Washington State Bar Association Family Law Conference (WSBAFLC)**
 - Mr. Lichtenberg presented a short training on working with interpreters.

Future Presentations

- The Gender and Justice Commission will have a session at the District and Municipal Court Judicial Association (DMCJA) conference and the Committee will be working with them on a portion about immigrant victims and domestic and sexual violence. This session will include information on interpreter issues.
- The Education Committee hopes to move towards webinars, bench book revisions, and other non-traditional resources in the next year.

PROGRAM REPORT

Court Interpreter Coordinator Workshop

- This workshop went very well and the AOC hoped to have a similar workshop more regularly. Having the regional conferences was a good idea that we hope to continue.

Reimbursement Program Outreach

- The two regional meetings brought together representatives from courts in the reimbursed program. They were held in SeaTac and in Yakima.
- It gave AOC staff a bigger picture of interpreter costs and the need for court funding not provided by the program.
- Many courts also expressed that they would be willing to get less money if it meant more courts could be in the program.

LAP Approval Criteria

- AOC contracts with courts in the reimbursement program require courts to submit updated Language Access Plans.
- AOC currently does not have criteria to judge the LAPs. Since the AOC does not have authority to approve LAPs, the Commission must approve them.
- The Commission discussed how specific the criteria would need to be and it was suggested that more general criteria may be better. Many courts have an LAP and it was suggested courts check their own most recent plans to see when it was most recently updated. Many courts may not have updated their plans in a number of years.
- AOC staff and Justice González will have a meeting to discuss the criteria.
- Starting criteria would be to group courts into three categories: courts who have a current LAP, courts who have an LAP that is out-of-date, and courts that do not have one.

Domestic Violence /Sexual Assault Forms Translation

- New forms are being translated with the help of the Gender and Justice Commission. Languages of the forms include Spanish, Korean, Russian, and Vietnamese.
- The Interpreter Commission can help by spreading the word when the forms are available.

PROGRAM REPORTS

Certification Exams Update

- This year we had the most candidates in program history take the Written Exam. Prior to the exam, AOC staff worked to expand on the outreach done in the past to reach more potential test candidates.
- There was a focus on contacting people who would have the necessary English skills to pass the exam.
- The outreach resulted in a larger number of people taking the exam and a more diverse group of languages spoken by the test candidates.
- Over the summer, 14 interpreters took the registered oral exams and most will be taking the Ethics and Protocol class in early November. This includes the first registered Oromo and Yoruba interpreters in Washington.
- The certified oral exams would be taking place over two weekends in October, in Shoreline and in Spokane. Fifty-one candidates have registered for the exam.

Tagalog-Specific Course Proposal

- Mr. Wells described the development of an online training class aimed at providing Filipino/Tagalog interpreters the kinds of court interpreting skills that would be beneficial in passing the certified oral exam.
- The AOC has been collaborating with the state of California to identify faculty and create an outline for the class. The faculty had submitted a proposal, which was shared with the Commission.
- This class would include much more language specific instruction than other online training classes, other than Spanish-specific classes. It was hoped that course can be a model for language-specific classes in other languages in the future. A special session of the oral exam would be offered for Filipino/Tagalog interpreters at the end of the class.

NCSC glossary Collaboration

- The NCSC established a workgroup to draft a guide for creating court interpreter glossaries that could be used for test preparation and for working in the courts.
- After the guide is complete, it will be used and tested in making a legal glossary for Burmese.
- A draft of the guide is being reviewed by the Language Access Advisory Council at the NCSC. Work on the Burmese glossary was planned to start in the near future.
- Mr. Wells is the contact for the collaboration and can be reached at james.wells@courts.wa.gov .

NCSC VRI Workgroup

- The National Center for State Courts (NCSC) had started a Video Remote Interpreting (VRI) project with a particular vendor but it proved unsuccessful. The NCSC was moving towards a different model where they would act as a clearing house resource and states would find providers themselves.
- The Commission discussed some challenges of implementing VRI, including:
 - Washington is decentralized state and it is difficult to find courts willing to take on a new project.
 - For courts that may not use VRI that often, it may not be worth the cost of setting up the infrastructure.
 - Interpreting remotely is difficult since the interpreter is less connected to the LEP party.
 - Often money for technology goes in the court room and not at other locations in the court house where interpreters are also necessary.

ASL Certification Report

- The Registry for the Interpreters of the Deaf (RID) has stopped offering the legal certification test. Many states used this test to credential ASL interpreters, and are now very concerned.
- Texas does have their own test and raters and some states were considering using that exam.
- Finding a test that could be used nationwide would be preferable so that there is not a regional variation.
- The discussed role of the NCSC would be the repository for an exam, run the pool of raters etc.

NEW BUSINESS

- Seattle Municipal Court has begun a mentoring program and is currently in week 3 of 12. Six sessions are done by webinar and the remaining are in person.
- Participants are interpreting in a number of languages, including: Tagalog, Korean, Thai, Mongolian and Cambodian.
- The Commission discussed having a meeting or forum with interpreters in the future.

The meeting adjourned at approximately 12:00pm.

Motions
Continuing Education credits are approved for the interpreters helping the revision to GR11.2 and who participated in Fall Judicial conference session. AOC staff is given the authority to decide on the appropriate number of credits based on the individual's participation.

Ms. Young is appointed to the Community Member Representative seat.

Action Items
<i>Commission Members</i> - Submit any input for the GR11.2 draft to AOC staff.
<i>Issue Committee</i> – Review and update the CEU policy to include granting credit for additional kinds of work for the Commission.
<i>Ms. Noble</i> – Create a list of terms for the GR11.2 draft.
<i>Ms. Noble and Ms. Gracia</i> – Discuss possible meetings or forums involving the Interpreter Commission and court interpreters.
<i>AOC Staff</i> - Send survey and annual report to judges and court admins by email and physical mail.
<i>AOC staff</i> – Meet with Justice González to discuss criteria that could be used to evaluate LAPs. Suggest creating three categories to start: courts with a current LAP, courts with an old one, and courts that don't have any.
<i>AOC staff</i> – Provide the Fall Conference presentation to Judge Bui for next year's judicial college to all Commission members.
<i>AOC staff</i> – Consult Ms. Englert about what kind of content could be included in the annual report that would be relevant for legislators.